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UNITED STATES DEPARTMENT OF AGRICULTURE  
RESETTLEMENT ADMINISTRATION  
Land Utilization Division  
Land Use Planning Section

BULLETIN OF FEDERAL AND STATE LEGISLATION AFFECTING LAND USE

No. 5.

Week ending February 4, 1937.

(Primarily for the information of Land Use Planning personnel of the Resettlement Administration and collaborating offices and agencies.)

I. FEDERAL LEGISLATION  
AGRICULTURE

H. R. 3697. Mr. Lemke.

To create the "Farmers and Consumers Financing Corporation" to be governed by a board of 3 directors appointed by the President for the purpose of buying agricultural products and processing or selling such products. The corporation may build, buy, or lease elevators and storage warehouses, act as agent for persons producing or dealing in agricultural products, make advances to assist in financing the sale or exportation of such agricultural products. It is declared to be the object of the Act to provide a market for the sale of agricultural products and to eliminate the commissions and charges that are exacted upon agricultural products by middlemen.

To Committee on Agriculture January 26.

FLOOD CONTROL

H. C. R. 1. Mr. Jenkins.

H. J. R. 159. Mr. Jenkins.

To create a committee of 3 members of the Senate and 3 of the House to conduct an immediate and comprehensive investigation of the damages caused by the present flood of the Ohio River and the measures necessary for the rehabilitation of the people in the area.

To Committee on Rules January 26.

H. J. R. 152. Mr. Jenkins (Ohio)

To appropriate \$1,000,000,000 to relieve suffering and remove menaces to public health and rehabilitate families and business concerns in the State of Ohio resulting from the recent flood, such money to be distributed under the direction of W. P. A. cooperating with the Red Cross.

To Committee on Appropriations January 25.

H. J. R. 167. Mr. Dunn.

To authorize the President to take from the Treasury Department a Billion Dollars, or more if necessary, to provide food, shelter clothing, medical aid and other necessities for the relief of the people in the Ohio flood area.

To Committee on Appropriations January 28.



## HYDRO-ELECTRIC DEVELOPMENT

H. R. 3592. Mr. Miller

To create the "Arkansas Valleys Authority" with powers and functions similar to the Tennessee Valley Authority.

To Committee on Flood Control January 25.

H. R. 3686. Mr. Secrest.

To create an Ohio Valley Authority similar to the Tennessee Valley Authority for the purposes of erecting and operating reservoirs for flood control works on the Ohio River and its tributaries, and improving the navigability of such rivers.

To Committee on Flood Control January 26.

H. R. 3788. Mr. Kvale.

To create the Upper Mississippi River Valley Authority similar to the Tennessee Valley Authority for the purposes of improving the navigability and controlling the flood waters of the upper Mississippi River and to provide for the development of hydro-electric energy and improve agricultural conditions.

To Committee on Flood Control January 27.

## INTERSTATE COMPACTS

H. J. Res. 150. Mr. Clark (Idaho)

To give the consent of Congress to the States of Idaho and Wyoming to enter into a compact for the disposition and apportionment of the waters of the Snake River.

To Committee on Irrigation and Reclamation January 25.

## SOIL CONSERVATION

H. R. 3687. Mr. Jones.

To amend the Soil Conservation and Domestic Allotment Act to extend the period during which the purposes of the Act may be carried out from January 1, 1933 to January 1, 1942.

To Committee on Agriculture January 26.

## TAXATION

H. R. 3685. Mr. Allen

To authorize the Secretary of the Treasury to pay each year to counties or taxing units the amount of tax revenues lost by government ownership of lands. The Secretary of the Interior is authorized to examine the tax rolls and certify the amounts due to the Secretary of the Treasury on privately owned lands similarly classified and situated. The amounts so paid by the Secretary of the Treasury are to be pro-rated among the various taxing units as in the case of privately owned lands. This does not apply to lands owned or acquired for public building sites.

To Committee on Public Lands January 26.

## TENANCY

H. R. 3590. Mr. Johnson (Texas)

To create the Farm Tenant Home Purchase Corporation. The corporation shall be governed by a board of 5 directors consisting of the Secretary of Agriculture, the Governor of the Farm Credit Administration and 3 members appointed by the President, and it shall have a capital stock of \$1,000,000,000. The corporation is to establish and assist in establishment of farms and farm homes with the necessary equipment, and assist the beneficiaries of



this Act in the organization of cooperatives. It shall have power to supervise the farm and farm operations of persons for whom it establishes or assists in establishing farms for a period of 5 years. It may make loans and acquire property by purchase or gift and may enter into contracts to sell or lease such property provided that no lease may be made for more than 5 years. The corporation shall establish farms only for persons who can furnish satisfactory evidence of successful farming operations as tenants and of good character, preference being given to applicants who are married or who have dependent families, farm tenants, sharecroppers, or farm laborers. All contracts of sale and all mortgages shall provide that the debtor will reside on the farm and will follow such practices as the corporation shall prescribe for the prevention of erosion and the conservation of the soil. The rate of interest charged by the corporation shall not exceed 2%. No land purchased from the corporation shall ever be encumbered nor subject to process to satisfy debt or obligation, except taxes. No purchaser of property from the corporation shall, so long as the purchase price is not paid, without the written consent of the corporation, sell, lease, mortgage, assign or convey such property. Real property acquired and held by the corporation for purchase therefrom is not exempt from taxation by the state or political subdivision thereof.

To Committee on Agriculture January 25.

H. R. 3876. Mr. Vinson.

To encourage and promote the ownership of farm homes, by establishing and assisting in the establishment of farms to improve the situation of farm tenants. The Secretary of Agriculture shall have power to construct and acquire necessary buildings, improvements, equipment, supplies and livestock for such farms. He may enter into contracts, make loans, or acquire real or personal property, or any interest therein; to improve or develop any property, to sell or lease property, prescribe conditions of lease and sale. Only natural persons who are farmers shall be eligible to receive the benefits of the Act; but no such person shall be eligible when the income from farm property owned by him is sufficient to maintain his family and discharge his reasonable obligations. Preference is to be given applicants who are married or who have dependent families, who are farm tenants, sharecroppers, farm laborers, or who recently were such. The Secretary is to appoint in each county in which such activities are contemplated a committee to certify to the Secretary those persons who, in the opinion of the committee, are likely to meet the obligations required by the Act. No title to farm real property may be transferred to the purchaser until at least 25% of the purchase price has been paid, and no lease may be made for a term exceeding 5 years except where there is an option to buy, in which case the maximum period of lease shall be 10 years.

To Committee on Agriculture January 23.

#### TENNESSEE VALLEY AUTHORITY

H. R. 3614. Mr. Voorhis.

To extend the provisions of the Tennessee Valley Authority to the Ohio River Basin.

To Committee on Military Affairs January 25.





II. STATE LEGISLATION (Includes only outstanding proposals likely to be of interest to Legislatures other than the one in which bill is introduced.)

AGRICULTURE

Iowa. H. B. 1.

To create an emergency Feed Loan Fund for drought areas. Counties are authorized to establish such funds. The Board of supervisors is authorized to create a fund not exceeding \$75,000 and issue anticipatory warrants to be drawn against the fund in denominations of \$100, \$500 and \$1000, the Board making such tax levy as is necessary to provide for the fund. Loans may be made to any farm operator applying who is without feed or funds with which to purchase feed for livestock. The application may be approved or rejected upon such terms and conditions as may be necessary to secure repayment of the loan at not less than 3% interest.

Approved January 22.

Minnesota. H. B. 37.

To create a State Feed Loan Fund of \$2,000,000. Any needy owner or tenant of any farm totally dependent upon farming for a living for his dependents and himself may make application to the Township Board for an advancement of seed grain with which to plant such fields as he may deem advisable and necessary in accordance with any national plan of crop control. No loan may be made to exceed \$300. Each advancement of seed grain is to be repaid by the applicant by February 15 of the year following, either in kind or in cash or labor or services to be performed by the recipient of such relief.

Introduced January 20.

DRAINAGE

Arkansas. S. B. 104. Levee and Drainage Committee.

To enable the Levee and Drainage Districts to comply with the Federal Flood Control Act of 1936 (Public 736). Such districts are authorized to acquire, either by gift, purchase or eminent domain, flowage and storage rights for the construction of floodways, reservoirs, and to grant such other powers as necessary to carry out the proposed flood control projects.

Introduced January 21.

GOVERNMENT ORGANIZATION

New York. S. B. 75. Mr. Desmond.

To provide optional forms of County Government. Four plans are provided under which counties may operate: the County Mayor form, County Manager form, County Director form, and County Board form. An election may be held to vote upon the adoption of any of the four plans provided for in the Act. County Boards of Supervisors shall be the determining body of the county and shall be vested with power to levy taxes and appropriate funds and enact local county laws relative to property and the government of the county. To Committee on Judiciary January 8.

Oklahoma. S. B. 122. Messrs. Duffy and Chamberlain.

To create a State Legislative Council with the duty of collecting information concerning the government and general welfare of the state, examine the effects of previously enacted laws and recom-



mend necessary changes, and to prepare a Legislative program in the form of bills or otherwise to be presented at the next session of the Legislature. The Council shall investigate and study the possibility of consolidation of State Government and recommend such changes in the interest of efficiency and economy. It shall further investigate and study the reformation of the system of local government with a view toward simplifying it and the Council shall cooperate with the administration in devising means of enforcing law and improving the effectiveness of administrative methods. All state departments or agencies or any local government shall make such studies and reports for the Council as it may require.

Introduced January 25.

Tennessee. H. B. 275. Mr. Haynes.

S. B. 175. Mr. Pope.

To reorganize the administrative and executive departments and agencies of the State Government. Each department is to be under the supervision of a Commissioner. The Department of Agriculture is to continue to exercise all the rights, powers, and duties now vested in it except the functions regarding forestry which are transferred to the Department of Conservation. The Department of Conservation is to exercise all its present rights, powers, and duties for the conservation of game, fish and wildlife, and in addition to exercise the functions of the Division of Forestry which is transferred from the Department of Agriculture. The Division of Geology is to be transferred from the Department of Education to the Department of Conservation, the State Park and Forest Commission is abolished and its powers and duties are transferred to the Department of Conservation. The Governor may appoint an advisory committee on conservation of persons to advise the Commissioner of Conservation on the work of the department and to make suggestions for the development of conservation projects.

Introduced January 25.

Texas. H. B. 90. Mr. Morris.

To abolish the office of the Commissioner of Agriculture and the Department of Agriculture and transfer such duties and powers of the Commissioner and Department to the Board of Directors of the Agricultural and Mechanical College.

To Committee on State Affairs January 14.

#### GRAZING

Arizona. S. B. 23. Mr. Smith.

To provide for the disbursement of receipts from grazing permits and leases received from the Federal Government under the Taylor Grazing Act. Such money is to be distributed to the counties in proportion to the amount of public land in the county. Money received from grazing fees of a grazing district including public lands shall be credited to the range improvement fund of such district and may be expended as the Board of Supervisors of the district may direct for range improvement.

#### LAND USE

Connecticut. H. R. 144. Mr. Hews.

To prohibit land owners from clearing immature stands of timber



unless by permit issued by the Park and Forest Commission after examination and determination by the Commission that such cutting will not contravene the purposes of the Act which are to reduce forest hazards, retard floods and check soil erosion.

To Committee on State Parks and Reservoirs January 22.

Kansas. H. B. 130. Committee on Agriculture.

S. B. 83. Mr. Denious.

To authorize the State Board of Agriculture to adopt rules and regulations to stop and prevent soil drifting. The Board may require any land subject to soil drifting to be plowed, furrowed, or cultivated, as the Board deems necessary. The enforcement of the rules and regulations is made the duty of the Counties. A "soil drifting fund" is to be created in each county to meet the expenses of administering the provisions of the Act. The State Board of Agriculture is authorized to enter into any agreement and to cooperate with the Federal Government or other agencies to carry out the purposes of the Act.

KANSAS. H. B. 167. Mr. Scott.

To validate warrants and accounts contracted by counties for the purpose of carrying out the provisions of the soil erosion statute of 1935. Any county having warrants and accounts outstanding are authorized to levy a tax on all the taxable property in the county sufficient to pay such warrants and accounts.

Introduced January 27.

Kansas. S. B. 114. Messrs. Benson and Koef.

(Same as Kansas H. B. 24, Bulletin No. 4, page 5.)

Introduced January 25.

Missouri. S. B. 41. Mr. Lockridge.

To accept the provisions of the Soil Conservation Allotment Act by the appointment of the extension service of the Missouri State University as the agency of the State to administer the plan authorized by the Federal Act. The extension service is authorized to formulate and submit to the Secretary of Agriculture a State plan for each year for the purposes and in conformity with the Federal Act. When such plan is approved by the Secretary of Agriculture the extension service shall have power to execute the plan with such incidental powers as may be necessary to carry out the purposes of the Act.

Introduced January 28.

Oklahoma. S. B. 58. Mr. Howsley.

45% of all money received from motor vehicles is to be credited to the County Highway Construction and Maintenance Fund and is to be diverted and paid by the County Treasurer into a fund designated as the "County Erosion Fund" to be used for controlling erosion on lands not being cultivated, which erosion affects the adjoining cultivated lands.

Introduced January 15.

#### PLANNING

Georgia. H. B. 103. Mr. Mankin.

To amend the Constitution to authorize the General Assembly to pass acts enabling Glynn, Fulton, Chatham, Bibb, Barrow and Colquitt Counties to pass zoning and planning ordinances to regulate the plans for development and improvement of real estate and regulate the uses for which zones or districts may be set apart.

Introduced January 14.





Georgia. H. B. 144. Mr. Simmons.

To create a State Highway Planning Commission with authority to locate and designate roads to be constructed by the State Highway Board now in existence. The State Highway Board is the executive administrative head of the State Highway Department. The State Highway Board is to follow and execute the recommendations of the State Highway Planning Commission to grade, pave and construct such roads and highways as the State Highway Planning Commission shall approve and direct.

To Committee on Public Highways No. 1 January 18.

Maine. S. B. 67. Miss Martin.

To amend the Zoning Enabling Act for cities, towns and villages (R. S. Ch. 5, sec. 137) to provide for planning and the creation of planning boards.

To Committee on Legal Affairs January 20.

Massachusetts. H. B. 1373. Mr. Julian.

To amend a zoning enabling act for cities and towns to provide that advertising signs may be regulated by zoning ordinances.

To Committee on Mercantile Affairs January 23.

Oklahoma. S. B. 24. Mr. Broadus.

To create the Bureau of Planning and Social Research in the University of Oklahoma under the direction of the Board of Regents, which Bureau is to supplant the existing State Planning Board. The State Planning Board is abolished and all its powers, duties, and property are to be transferred to the Bureau.

Introduced January 6.

Oklahoma. S. B. 107. Mr. Rorschach.

To create a State Planning and Conservation Board to provide for a survey of the agricultural, industrial, and human resources of the state for the conservation and better utilization of such resources. Such Board is to consist of 3 members appointed by the Governor. The powers and duties now in the State Engineer and in the County Highway Engineer pertaining to waters, drainage, irrigation, and water control are to be transferred to the Planning and Conservation Board. The powers and duties now existing in the State Planning Board, the Conservation Commission, the Forest Commission, and the Commission on Drainage are all transferred to this Planning Conservation Board. The Board is given authority to acquire by purchase, lease or gift lands or any interest therein necessary to exercise its functions. It shall have authority to request the assistance of and cooperate with Federal agencies in the construction of any project. Further authority is conferred upon the Board to regulate, control and prevent pollution of all streams or water in the state. An appropriation of \$300,000 for the next biennium is proposed.

Introduced January 22.

#### PUBLIC FINANCE

Minnesota. H. B. 183. Mr. Lowe.

To appropriate \$500,000 for the purchase and distribution of feed for livestock on farms, to be administered and disbursed by the State Executive Council, for use in drought areas. This fund is to be immediately available but not longer than May 31, 1937.

#### REAL PROPERTY

Kansas. H. B. 148. Mr. Davis.





Any building occupied by tenants as a residence which becomes unsafe and unhealthy for the occupants thereof by reason of lack of repair, the landlord shall charge as rent a sum not exceeding 6% of the assessed valuation, and a penalty is provided for the collection or the attempt to collect any rent in excess of that provided in the Act.

Introduced January 26.

Kansas. S. B. 109. Mr. Hackney.

To amend the procedure for notices to terminate farm tenancies where premises are left for one year or more and the tenant, without the assent of the landowner, continues to occupy after the expiration of the term, the tenant shall be deemed a tenant from year to year. Tenancies from year to year may be terminated by a 30-day notice in writing given prior to the expiration of the year.

Introduced January 25.

Minnesota. S. B. 172. Mr. Loftsgaarden, et al.

To grant relief from iniquitable foreclosure of mortgages on real estate and execution sales of real estate, and to extend the period of redemption. In no event shall period of redemption extend beyond March 1, 1930 and is applicable only to mortgages made prior to April 18, 1933, and does not apply to mortgages made prior to the passage of this Act which shall hereafter be renewed for a period ending more than one year after the passage of this Act.

Introduced January 19.

South Carolina. H. B. 139. Messrs. Senn and Dominick.

Where the employer furnishes houses to employees during employment and charges rent therefor, if the hours of labor are reduced by the employer, the rent charge must be reduced in the same proportion.

To Committee on Commerce and Manufacture January 27.

Washington. S. B. 50, 51. Mr. Shorott.

To create housing authorities in cities and counties to provide dwelling accommodations for persons of low income. The authorities have power within the area of their operations to prepare, acquire, lease, and operate housing projects or the construction thereof. They are to be given power to lease or rent any dwelling houses or accommodations or lands for any housing project; to procure insurance or guarantee from the Federal Government for the payment of any debts secured by mortgages on any property included in any such project. Investigations are to be made into housing conditions and means and methods of improving such conditions and to make available for appropriate agencies their findings and recommendations relative to any building or property where conditions exist which are dangerous to public health and welfare. Any two or more authorities may cooperate in the exercise of any other powers conferred for the purpose of financing, planning, or constructing a housing project. All such housing projects shall be subject to the planning and zoning ordinances and regulations applicable to the locality in which it is situated. Powers are granted to issue bonds from time to time to be secured by a pledge of any revenue or mortgage from the project. The property of any authority is declared to be public property and therefore exempt from all taxes and special assessments of the city, county and state, provided that in lieu thereof the authority may agree to make payments to the taxing unit for improvements or governmental services rendered to the project. The Mayor of the city and the governing body of a county may appoint 5 persons as Commissioners to serve as the governing body of such authorities.

To Committee on Judiciary January 18.



## TAXATION

Alabama. F. B. 97 Special Session.

An Act to remove from taxation Auxiliary State Forests which are so designated by the State Commission of Forestry. Only land on which such timber grows may be taxed or assessed for taxation as if the ownership of the timber had been severed from the ownership of the land. The valuation for purposes of taxation of the land independently of the timber shall not be increased during the continuance of such land as Auxiliary State Forests. When the land within such Auxiliary State Forest does not exceed 160 acres the land shall not be taxed or assessed for taxation.

Approved January 14.

Arizona. F. C. R. 1. Mrs. Porter.

To exempt from taxation real property which is a bona fide home of the true owner in an amount not exceeding \$2500. The good faith of a claimant for exemption must prove that he is at the time of the claimed exemption using the property as his only home, and has for the past 7 months, and that he intends to use it not less than 7 months during the current year.

Introduced January 21.

Arkansas. H. B. 125. Mr. Graham.

To provide that all land sold for the non-payment of taxes and not bought by a private concern, shall be sold to the county, and after the period of redemption, as now provided, expires, a deed to all lands remaining unredeemed shall be issued to the county. The Commissioner of State Lands is to certify to each county a list of all lands belonging to the State for the non-payment of taxes, and such lands thereafter shall become the property and title shall vest in the county.

To State Lands Committee January 13.

California. A. C. A. 9. Mr. Lowe.

To amend the Constitution to permit counties and cities, after a favorable vote on referendum, to exempt lands and improvements, household furniture, livestock, tools and farming implements, etc. from taxation.

To Committee on Constitutional Amendments January 11.

A. C. A. 15. Mr. Hunt.

To exempt private schools not conducted for profit, with buildings and grounds, from taxation.

To Committee on Constitutional Amendments January 14.

S. B. 213. Mr. Mixter.

To authorize the Board of Supervisors of any county to levy a tax for advertising, exploiting and promoting and aiding measures to preserve, aid or develop the agricultural, horticultural and water resources and advantages of the several counties. The tax may not exceed 4% on the \$100 on assessed valuation of all property within the county, such money to be used under the direction of the Board of Supervisors.

To Committee on County Government January 13.

Delaware. H. B. 16. Mr. Holcomb.

To exempt all horses, cattle and other livestock from taxation and assessment.

Introduced January 26.

Indiana. H. B. 17. Mr. Conas.

To exempt parcels of land upon which is situated a residence occupied by the owner from taxation up to an assessed valuation



of \$3,000, balance of valuation, if any, to be taxed. Application and affidavit for such deduction must be filed between the first day of March and the first Monday of May of each year.

To Ways and Means Committee January 12.

Missouri. H. J. R. 5. Messrs. Turley and Osburn.

To amend the Constitution to exempt from taxation real estate when held as a homestead under such conditions and of such value not exceeding \$1500 as the general assembly may provide.

Introduced January 22.

Texas. H. J. R. 22. Messrs. Newton and Knetsch.

H. J. R. 7. Mr. Newton.

To propose an amendment to the Constitution providing that \$5000 of assessed taxable value of all resident homesteads shall be exempt from taxation for all purposes.

Introduced January 25.

Utah. H. B. 19 and S. B. 50. Mr. Bonnicn.

To provide for tax exemption of a home to the amount of \$2000 in assessed value and household furniture to the amount of \$300 in assessed value from payment of taxes.

Introduced January 20.

Washington. H. B. 155.

For the purpose of taxation all forest crops upon lands shall be deemed to be personal property, and such forest lands shall be assessed and taxed as real property. The basis of assessment shall be 50% of the true value which would remain if a forest crop were entirely harvested. The owner of any forest land desiring to harvest such crop shall notify the County Treasurer who shall issue a permit authorizing such harvesting provided that payment of all taxes upon the forest crop is a condition precedent to the right to the permit.

To Committee on Forest and Logged Off Lands January 22.

Washington. S. B. 75. Mr. Orndorff.

To exempt from taxation homes or homesteads of an assessed valuation of \$2000, which assessed valuation shall be 50% of the true and fair valuation of such property. The balance, if any, shall be taxed.

To Committee on Revenue and Taxation January 20.

West Virginia. H. J. R. 2. Mr. Righter.

To amend the Constitution to provide that new industries and building projects may be exempt from taxation and that any county or municipality may exempt from taxation property used for new industry in building projects, including private residences, as may be provided by the general law.

To Committee on Judiciary January 21.

Wisconsin. H. B. 50. Mr. Franzkowiak.

To exempt from taxation homesteads to the value of \$2000.

To Committee on Taxation January 25.

Wisconsin. H. B. 53. Mr. Vaughn.

A homestead occupied by any person receiving relief, support or maintenance at public charge, of a value of \$5000 or less, shall be exempt from taxation.

To Committee on Taxation January 25.

H. A. HOCKLEY

